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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 07-70337 PVT
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
)	PRELIMINARY HEARING AND
13 v.)	EXCLUDE TIME; [PROPOSED] ORDER
)	
14 KHAHN DANG VU and)	
)	
15 LAM THANH NGUYEN,)	
)	
16 Defendants.)	

17
18 Defendants and the government, through their respective counsel, hereby stipulate that,
19 subject to the court's approval, the preliminary hearing in the above-captioned matter, presently
20 scheduled for Thursday, August 23, 2007, be continued to Thursday, August 30, 2007, at 9:30
21 a.m.

22 The continuance is requested because Mary Conn, Esq., counsel for defendant Nguyen, is
23 unavailable on August 23, 2007. Additionally, defense counsel requires time for effective
24 preparation and investigation.

25 The parties further agree that time for the preliminary hearing should be excluded under
26 the Speedy Trial Act because the defense requires time for effective preparation and

1 investigation, and the ends of justice outweigh the defendants' and the public's need for filing
2 charges on an earlier date.

3
4 Dated: 08/03/07

/s/

LARA S. VINNARD
Assistant Federal Public Defender
Attorney for Khanh Vu

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6 Dated:

/s/

MARY CONN
Attorney for Lam Thanh Nguyen

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8 Dated:

/s/

JEFFREY B. SCHENK
Assistant United States Attorney

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10
11 **ORDER**

12 The parties have jointly requested a continuance of the preliminary hearing set for August
13 23, 2007, due to the unavailability of defense counsel, and to allow time for effective preparation
14 and investigation.

15 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
16 presently set for August 23, 2007, be continued to August 30, 2007, at 9:30 a.m.

17 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
18 from August 23, 2007 to August 30, 2007, shall be excluded from the period of time within
19 which charges must be filed under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

20 Dated:

PATRICIA V. TRUMBULL
United States Magistrate Judge